

REMARKS

The Examiner has made a restriction requirement necessitating election between the following groups of claims:

Group I (claims 1-13 and 20-30), drawn to an organic electroluminescence device; and

Group II (claims 14-19), drawn to a method for fabricating an organic electroluminescence device.

In response to the restriction requirement, Applicants hereby elect with traverse to proceed with the examination of claims 1-13 and 20-30 that is designated by the restriction requirement as being in Group I. The Office Action alleges that there are two alternative methods for making the product recited in claims 1-13 and 20-30. Applicants' respectfully submit that the first allegedly alternative method suggested by the Office Action is not plausible. More particularly, forming the first electrode layer on the organic light emitting layer and then "next one can form the exposed first electrode surface onto the first substrate" is not plausible. Accordingly, the first allegedly alternative method has not been shown to be an alternative process for making the product. The second allegedly alternative method suggested by the Office Action is not an alternative method because independent claim 14 has sufficient scope to include forming the cell gap maintaining structures on the first substrate and then forming the first electrode layer on the first substrate. Accordingly, Applicants request withdrawal of the Restriction Requirement and that claims 1-30 be examined on the merits.

Applicants reserve the right to file divisional applications directed to the unelected claims.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS, LLP

Dated: September 10, 2004

CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS, LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004
Tel 202.739.3000
Fax 202.739.3001

By: 
Donald L. Monin, Jr.
Reg. No. 47,256